IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.595 OF 2004
IN
SUMMARY SUIT NO. 1710 OF 2004

M/s.Metal Ore & Anr. ..Plaintiffs.

Vs.

M/s.Techno Fab Engineering Ltd. ..Defendant.

Mr.Thakkar for the Plaintiffs.

Mr.Swapnil Bagur i/b.A.V.Jain & Associates for the Defendant.

CORAM: S.J.VAZIFDAR, J.
DATED: 24TH AUGUST, 2005

P.C. :

On taking instructions from the respective clients who are present in Court, the counsel have consented to the following order :

i) Decree as prayed.

ii) However, the decree shall be marked satisfied in the event of the Defendant paying a sum of Rs.12,00,000/- in equal monthly instalments of Rs.80,000/- each. The first instalment shall be paid on or before 1st September, 2005. The further

instalments shall be paid on or before the first day of each succeeding month. In addition thereof, a sum of Rs.54,000/- shall be paid alongwith, and in addition to the third instalment falling due on 1st November, 2005.

iii) In the event of there being any two defaults and/or a default in the payment of the last instalment, the suit shall stand decreed as prayed and the Defendant shall only be entitled to the credit of the amounts paid upto that date, if any.

iv) The Defendant undertakes not to commit any default. The instalments have been agreed to on the basis that no default shall be committed.

2. The suit and the Summons for Judgment is accordingly disposed of. There shall be no order as to costs.

Refund as per rules.